

March 29, 2019

Attorney General's Office
9001 Mail Service Center
Raleigh, NC 27699-9001

RE: December 21, 2018 Public Records Request

To Whom It May Concern,

On behalf of Energy Policy Advocates ("EPA"), I am writing to inquire about the status of a public records request delivered to your office via facsimile in December of last year. To date, EPA has received no response providing an expected date for delivery, an update regarding the request, or even a confirmation that the request is being processed.

The request sought a copy of your office's application to participate in the New York University State Energy and Environmental Impact Center's fellowship program. The record would have been produced after August 25, 2017 and likely sent to outside parties David Hayes and/or Elizebeth Klein of the New York University State Energy and Environmental Impact Center. The request also sought all attachments, appendices, cover letters, and emails transmitting the application.

North Carolina Gen. Stat. §132-6(a) requires a custodian of public records "permit any record in the custodian's custody to be inspected and examined at reasonable times and under reasonable supervision by any person, and shall, as promptly as possible, furnish copies upon payment of any fees as may be prescribed by law". EPA's request noted that in the interest of expediting the request, EPA was willing to pay up to \$100 in fees. Given the delay in receiving any response from your office, EPA now requests any fees be waived, your office provide copies

of any responsive documents, or, in the event your office believes records are subject to an exemption, a detailed denial specifically citing any statute, case precedent, regulation or rule upon which you rely.

In the event EPA does not receive a timely reply from your office, EPA will consider all options, including seeking an order compelling disclosure under N.C.G.S. § 132-9. That process, including the mandatory mediation required under N.C.G.S. § 7A-38.3E, is likely to consume time and resources that could be better used by both parties.

Should you have any questions, or would like to further discuss this matter, please feel free to contact me by email at MatthewDHardin@gmail.com. I look forward to your response.

Sincerely,

Matthew D. Hardin
Executive Director
Energy Policy Advocates.